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SOURCE Trybuna Ludu.

DRAFTS NEW CODE ON FAMILY RELATIONS

The government has presented to the Sejm a draft of the Family Code which reflects the legal and social tenets of Poland's regime in the field of family relations. Four basic aims are stressed in the code:

1. Make marriage more permanent.
2. Give equal rights to married women.
3. Abolish all distinctions between children born in and out of wedlock.
4. Provide effective safeguards on alimony claims.

The purpose of the legislation is to reduce the number of divorces. The law states that a divorce can be granted only when for a grave reason the husband and wife have completely and permanently broken off conjugal relations. If the husband is responsible for the dissolution of the marriage, he cannot obtain a divorce without the consent of the second party. Mutual agreement to obtain a divorce is not sufficient grounds for the dissolution of marriage unless the court determines that permanent dissolution has taken place. A divorce is not permitted when it would harm children who were born in wedlock.

The family code affirms that both husband and wife have equal rights and obligations in marriage. Property acquired during married life becomes joint property. The new law also gives the mother the right to contest the paternity of her child.

The new family code makes no distinction between children born in and out of wedlock. The child bears the name of the father. If the father is not known, it bears the mother's name. If neither of the parents are known, the child is given a name by the guardian authorities.

In regard to alimony, the code states that a spouse who was an innocent party to a divorce, and who is not able to support himself, can demand remuneration from the second spouse even if the second spouse is innocent. If both husband and wife are guilty, the court may award alimony to either spouse.

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Other articles of the code state that the obligation of supporting a child rests upon the parents regardless of their marital status until the child becomes self-supporting. Thus, a divorce may not be granted without a ruling as to the obligations of both parents in regard to the child.

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